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**Fax Transmission** | March 15, 2005

**TO:** Commissioner for Patents  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313-1450

**FROM:** Robert A. Kalinsky

**OUR REF:** 12929.1072USC1  
**TELEPHONE:** 612.336.4771

USPTO Centralized Facsimile No.: 1-703-872-9306

Total pages, including cover letter: 8.

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**Title of Document Transmitted:** 1. Amendment under 37 C.F.R. § 1.116

**Applicant:** Bachinski et al.  
**Serial No.:** 10/687,497  
**Filed:** October 15, 2003  
**Group Art Unit:** 3749

**Our Ref. No.:** 12929.1072USC1  
**Confirmation No.:** 9051  
**Customer No.:** 23552

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Name: Robert A. Kalinsky  
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I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

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Signature (Robert A. Kalinsky)

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**RESPONSE UNDER 37 C.F.R. 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 3749**

S/N 10/687,497

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bachinski et al.	Examiner:	Alfred Basichas
Serial No.:	10/687,497	Group Art Unit:	3749
Filed:	October 15, 2003	Docket No.:	12929.1072USC1
Customer No.:	23552	Confirmation No.:	9051
Title:	Proximity Warning System for a Fireplace		

**CERTIFICATE UNDER 37 CFR 1.6(d):**

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By:

*Robert A. Kalinsky*

Name: Robert A. Kalinsky

**AMENDMENT UNDER 37 C.F.R. § 1.116**

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Dear Sir:

In response to the final Office Action mailed on December 15, 2004, please consider and enter the following amendments and remarks. Claims 24-28, 31-37, and 39 remain pending in the application.

Amendments to the claims begin at page 2 of this paper.

Remarks begin at page 5 of this paper.